

Senate Engrossed

FILED

MICHELE REAGAN
SECRETARY OF STATE

State of Arizona
Senate
Fifty-third Legislature
First Regular Session
2017

CHAPTER 221
SENATE BILL 1415

AN ACT

AMENDING SECTION 27-106, ARIZONA REVISED STATUTES, AS AMENDED BY LAWS 2016, CHAPTER 128, SECTION 8; REPEALING SECTION 27-106, ARIZONA REVISED STATUTES, AS AMENDED BY LAWS 2016, CHAPTER 128, SECTION 9; REPEALING SECTION 27-107, ARIZONA REVISED STATUTES, AS AMENDED BY LAWS 2016, CHAPTER 128, SECTION 11; AMENDING SECTION 27-111, ARIZONA REVISED STATUTES; AMENDING SECTION 28-2448, ARIZONA REVISED STATUTES, AS AMENDED BY LAWS 2016, CHAPTER 128, SECTION 22; REPEALING SECTION 28-2448, ARIZONA REVISED STATUTES, AS AMENDED BY LAWS 2016, CHAPTER 128, SECTION 23; REPEALING SECTION 32-2117, ARIZONA REVISED STATUTES, AS AMENDED BY LAWS 2016, CHAPTER 128, SECTION 29; REPEALING SECTION 33-423, ARIZONA REVISED STATUTES, AS AMENDED BY LAWS 2016, CHAPTER 128, SECTION 37; REPEALING SECTION 41-821, ARIZONA REVISED STATUTES, AS AMENDED BY LAWS 2016, CHAPTER 128, SECTION 82; REPEALING SECTION 41-827, ARIZONA REVISED STATUTES, AS ADDED BY LAWS 2016, CHAPTER 128, SECTION 84; REPEALING SECTION 41-827.01, ARIZONA REVISED STATUTES, AS AMENDED BY LAWS 2016, CHAPTER 128, SECTION 85; REPEALING LAWS 2016, CHAPTER 128, SECTION 139; RELATING TO THE MINING, MINERAL AND NATURAL RESOURCES EDUCATIONAL MUSEUM.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 27-106, Arizona Revised Statutes, as amended by
3 Laws 2016, chapter 128, section 8, is amended to read:

4 27-106. Duties of Arizona geological survey; mining, mineral
5 and natural resources educational museum

6 A. UNDER THE OPERATION, MANAGEMENT AND AUTHORITY OF THE UNIVERSITY
7 OF ARIZONA, the Arizona geological survey shall:

8 1. Map and describe the bedrock and related geologic materials and
9 processes in this state, as follows:

10 (a) Prepare geologic maps that show the distribution of rock
11 formations and surficial materials at the surface and in the subsurface.

12 (b) Describe the character of rock and surficial materials,
13 including their age, origin and physical and chemical properties.

14 (c) Map, describe and monitor known and potential geologic hazards
15 and limitations to land and resource management.

16 (d) Map and characterize energy and mineral resources and identify
17 areas that may have potential for future discoveries.

18 2. Provide objective, scientific information about the geologic
19 character of this state as follows:

20 (a) Provide timely, courteous responses to requests for information,
21 advice and assistance from the public.

22 (b) Maintain a computerized bibliographic database of maps and
23 reports on the geology of this state that is accessible to the public.

24 (c) Maintain an internet website that includes information about
25 the Arizona geological survey, products and services available and the
26 geologic character of this state.

27 (d) Give lectures and talks, conduct workshops, lead field trips
28 and provide information and assistance to public, educational and
29 professional groups.

30 (e) Publish reports and other information, written in nontechnical
31 terms, to inform those who are not trained in geology about the geologic
32 character of this state.

33 3. Prepare all data files of known areas of earth fissures, produce
34 maps of those areas with overlays showing affected counties, cities,
35 towns, highways and streets and transmit the maps in printed and
36 electronic format to the state real estate department for purposes of
37 providing public access to the earth fissure maps pursuant to this
38 paragraph and section 32-2117. The Arizona geological survey shall
39 provide any map to any member of the public in printed or electronic
40 format on request. The following notice shall be displayed below each
41 map:

42 Notice

43 The state of Arizona has made a reasonable effort to ensure
44 the accuracy of this map when it was produced, but errors may
45 be present and the state of Arizona does not guarantee its

1 accuracy. The map supplements, and is not a substitute for, a
2 professional inspection of property for defects and
3 conditions.

4 4. Operate and maintain a central repository and a computerized
5 database for reports, books, maps and other publications regarding the
6 geology, mining and mineral resources and associated technologies. Such
7 repository and database shall be available for the use of the public and
8 may be located at or connected with the university of Arizona or another
9 state university or agency of this state. All databases and other
10 archival materials shall be maintained in a secure and retrievable format
11 and at a location prescribed by the state geologist to protect and
12 preserve information from damage or destruction.

13 5. Utilize the services and expertise of the universities of this
14 state at the discretion of the state geologist.

15 6. Cooperate with local, county, state and federal agencies.

16 7. Provide quality mining data, evaluation and assistance relating
17 to mining and mineral development to the legislature, federal, state and
18 local governmental agencies and the public.

19 8. Serve as a source of mining information and data necessary or
20 advisable to attain its objectives. The Arizona board of regents may
21 establish reasonable fees for publications and other services of the
22 Arizona geological survey.

23 9. Cooperate with the Arizona corporation commission in its
24 investigations and administration of laws, relating to the sale of mining
25 securities.

26 B. In coordination with the mining, mineral and natural resources
27 educational museum advisory council established by section 27-111, the
28 UNIVERSITY OF Arizona ~~geological survey~~ shall operate and maintain a
29 mining, mineral and natural resources educational museum as the state
30 depository for collecting, cataloging and displaying mining, mineral and
31 natural resources artifacts and specimens. In connection with the mining,
32 mineral and natural resources educational museum, the ~~state geologist~~
33 UNIVERSITY OF ARIZONA may:

34 1. Promote the recognition and celebration of the historical,
35 cultural, economic and social contributions to this state made by the
36 mining, mineral and natural resources industries in this state, including
37 the livestock and agricultural industries.

38 2. Apply for and accept grants, gifts, bequests of legacies of real
39 or personal property, donations, including donations of time, services and
40 materials, or any other contribution, financial or otherwise, for use in
41 accordance with the direction of the donor or, in the absence of an
42 express direction, as prescribed by the UNIVERSITY OF Arizona ~~geological~~
43 ~~survey~~. Monies received pursuant to this paragraph shall be deposited in
44 a separate mining, mineral and natural resources educational museum
45 account in the geological survey fund established by section 27-107 to be

1 used exclusively for the maintenance, restoration and operations of the
2 mining, mineral and natural resources educational museum.

3 3. Accept from the federal or state government, any local
4 government or any of their agencies restricted and unrestricted monies
5 made available to this state for the mining, mineral and natural resources
6 educational museum.

7 4. Establish and collect entrance fees to the mining, mineral and
8 natural resources educational museum.

9 5. Operate a retail gift shop, including the acquisition, purchase
10 and resale of mining, mineral and natural resources specimens and related
11 items.

12 6. Employ a curator for the mining, mineral and natural resources
13 educational museum who possesses knowledge or experience in natural
14 resources and operating a museum.

15 7. Operate educational programming for the mining, mineral and
16 natural resources educational museum.

17 8. Accept the services of volunteers and provide oversight for
18 their activities.

19 9. Pay the necessary maintenance and operation expenses of the
20 mining, mineral and natural resources educational museum.

21 C. The UNIVERSITY OF Arizona ~~geological survey~~:

22 1. ~~With~~ UNDER the ~~approval~~ ADVISEMENT of the mining, mineral and
23 natural resources educational museum advisory council, shall adopt a
24 collections management policy that is consistent with national standards
25 and best practices for museums in the United States established by a
26 national association of museums.

27 2. Shall maintain the items, artifacts and other inventory received
28 for display or storage, including equipment and outdoor displays.

29 3. In coordination with the mining, mineral and natural resources
30 educational museum advisory council and pursuant to the standards and best
31 practices adopted pursuant to paragraph 1 of this subsection, may sell or
32 otherwise dispose of materials received for the mining, mineral and
33 natural resources educational museum.

34 4. SHALL OPERATE, MANAGE AND MAINTAIN THE MINING, MINERAL AND
35 NATURAL RESOURCES EDUCATIONAL MUSEUM AT THE LOCATION WHERE IT IS HOUSED ON
36 THE EFFECTIVE DATE OF THIS AMENDMENT TO THIS SECTION CONSISTENT WITH THIS
37 ARTICLE.

38 Sec. 2. Repeal

39 Section 27-106, Arizona Revised Statutes, as amended by Laws 2016,
40 chapter 128, section 9 and section 27-107, Arizona Revised Statutes, as
41 amended by Laws 2016, chapter 128, section 11, are repealed.

1 Sec. 3. Section 27-111, Arizona Revised Statutes, is amended to
2 read:

3 27-111. Mining, mineral and natural resources educational
4 museum advisory council: membership: duties: terms:
5 compensation

6 A. The mining, mineral and natural resources educational museum
7 advisory council is established consisting of the following members who,
8 except for the members designated pursuant to paragraphs 1, 9, ~~and~~ 10 AND
9 11 of this subsection, are appointed by the governor:

- 10 1. The state geologist or the state geologist's designee.
- 11 2. One member representing the livestock industry.
- 12 3. Two members representing the mining industry.
- 13 4. One member representing the agriculture industry.
- 14 5. One member representing the tourism industry.
- 15 6. One member representing the timber industry.
- 16 7. One member who is knowledgeable in gems and minerals.
- 17 8. Two members representing the public.

18 9. One member of the house of representatives who is appointed by
19 the speaker of the house of representatives.

20 10. One member of the senate who is appointed by the president of
21 the senate.

22 11. ONE MEMBER WHO IS KNOWLEDGEABLE IN MUSEUM OPERATIONS AND
23 MANAGEMENT WHO IS APPOINTED BY THE PRESIDENT OF THE UNIVERSITY OF ARIZONA.

24 B. The advisory council shall:

25 1. Select a chairperson and vice-chairperson from among its
26 members.

27 2. Hold regular meetings and additional meetings at the call of the
28 chairperson or a majority of its members.

29 3. Provide ~~oversight and~~ advice to the ~~state geologist~~ UNIVERSITY
30 OF ARIZONA regarding the mining, mineral and natural resources educational
31 museum and assist in promoting the mission of the museum. The ~~state~~
32 ~~geologist~~ UNIVERSITY OF ARIZONA shall accept the recommendations of the
33 advisory council if the state geologist finds them to be practicable and
34 in the best interest of the mining, mineral and natural resources
35 educational museum.

36 4. Establish a subcommittee to provide assistance and advice in the
37 areas of educational programming, the hiring and retention of a curator
38 and oversight of mineral collections. The advisory council may establish
39 subcommittees to act in an advisory capacity on other matters relevant to
40 the mining, mineral and natural resources educational museum and the
41 advisory council's duties.

42 C. The initial members appointed pursuant to subsection A,
43 paragraphs 2, 3, 4, 5, 6 and 7 of this section shall assign themselves by
44 lot to three, four and five year terms of office. All subsequent members

1 serve four-year terms of office. A member may continue to serve until the
2 member's successor is appointed and assumes office.

3 D. Members of the advisory council are not eligible to receive
4 compensation but are eligible for reimbursement of expenses pursuant to
5 title 38, chapter 4, article 2. The advisory council is a public body for
6 purposes of title 38, chapter 3, article 3.1.

7 Sec. 4. Section 28-2448, Arizona Revised Statutes, as amended by
8 Laws 2016, chapter 128, section 22, is amended to read:

9 28-2448. Arizona centennial special plates; fund

10 A. The department shall issue Arizona centennial special plates.
11 The department shall use thirty-two thousand dollars from the state
12 highway fund, established by section 28-6991, to implement this section.
13 The office of tourism shall design the Arizona centennial special plates.
14 The design and color of the Arizona centennial special plates are subject
15 to the approval of the department. The director of the department of
16 transportation may allow a request for Arizona centennial special plates
17 to be combined with a request for personalized special plates. If the
18 director of the department of transportation allows such a combination,
19 the request shall be in a form prescribed by the director of the
20 department of transportation and is subject to the fees for the
21 personalized special plates in addition to the fees required for the
22 Arizona centennial special plates.

23 B. Of the twenty-five dollar fee required by section 28-2402 for
24 the original special plates and for renewal of special plates, eight
25 dollars is a special plate administration fee and seventeen dollars is an
26 annual donation.

27 C. The department shall deposit, pursuant to sections 35-146 and
28 35-147, all special plate administration fees in the state highway fund
29 established by section 28-6991 and all donations collected pursuant to
30 this section in the Arizona centennial special plate fund established by
31 this section.

32 D. The Arizona centennial special plate fund is established
33 consisting of monies deposited pursuant to this section. The director
34 shall administer the fund. The first thirty-two thousand dollars in the
35 fund shall be reimbursed to the state highway fund established by section
36 28-6991. Not more than ten percent of monies deposited in the fund
37 annually shall be used for the cost of administering the fund. Monies in
38 the fund are continuously appropriated.

39 E. The director shall annually allocate monies in the fund to the
40 UNIVERSITY OF Arizona ~~geological survey~~ to pay costs related to the
41 maintenance and operations of the mining, mineral and natural resources
42 educational museum.

43 F. On notice from the director, the state treasurer shall invest
44 and divest monies in the fund as provided by section 35-313, and monies
45 earned from investment shall be credited to the fund.

1 Sec. 5. Repeals

2 The following are repealed:

3 1. Section 28-2448, Arizona Revised Statutes, as amended by Laws
4 2016, chapter 128, section 23.

5 2. Section 32-2117, Arizona Revised Statutes, as amended by Laws
6 2016, chapter 128, section 29.

7 3. Section 33-423, Arizona Revised Statutes, as amended by Laws
8 2016, chapter 128, section 37.

9 4. Section 41-821, Arizona Revised Statutes, as amended by Laws
10 2016, chapter 128, section 82.

11 5. Section 41-827, Arizona Revised Statutes, as added by Laws 2016,
12 chapter 128, section 84.

13 6. Section 41-827.01, Arizona Revised Statutes, as amended by Laws
14 2016, chapter 128, section 85.

15 7. Laws 2016, chapter 128, section 139.

16 Sec. 6. Department of administration; conveyance of real
17 property housing the mining, mineral and natural
18 resources educational museum to university of
19 Arizona; continued operation, management and
20 maintenance

21 Notwithstanding section 37-803, subsection B, paragraph 1, Arizona
22 Revised Statutes, the department of administration shall convey title and
23 fee ownership of the real property and improvements on the real property
24 currently housing the mining, mineral and natural resources educational
25 museum to the university of Arizona for nominal consideration on or before
26 July 1, 2017. The university of Arizona shall operate, manage and
27 maintain the mining, mineral and natural resources educational museum at
28 the location consistent with title 27, chapter 1, article 1, Arizona
29 Revised Statutes.

30 Sec. 7. Retroactivity

31 This act applies retroactively to from and after March 31, 2017.

APPROVED BY THE GOVERNOR APRIL 28, 2017.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 28, 2017.

Passed the House April 20, 20 17,

Passed the Senate February 23, 20 17,

by the following vote: 53 Ayes,

by the following vote: 30 Ayes,

0 Nays, 6 Not Voting

0 Nays, 0 Not Voting

[Signature]
Speaker of the House

[Signature]
President of the Senate

[Signature]
Chief Clerk of the House

[Signature]
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill was received by the Governor this

24th day of April, 20 17,

at 1:51 o'clock P. M.

[Signature]
Secretary to the Governor

Approved this 28th day of

April, 20 17,

at 1:19 o'clock P. M.

[Signature]
Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this 28 day of April, 20 17,

at 4:43 o'clock P. M.

[Signature]
Secretary of State

S.B. 1415